TUPELO CITY COUNCIL MEETING AGENDA APRIL 17, 2018 6:00 P.M.

INVOCATION:

COUNCILMAN WILLIE JENNINGS

PLEDGE OF ALLEGIANCE:

PRESIDENT MARKEL WHITTINGTON

CALL TO ORDER:

PRESIDENT MARKEL WHITTINGTON

CONFIRMATION OR AMENDMENT TO THE AGENDA AND AGENDA ORDER

- 4. PROCLAMATIONS, RECOGNITIONS, AND REPORTS AGENDA
- JS4.1 RECOGNITION OF BOY/GIRL SCOUTS
- JS 4.2 RECOGNITION OF CITY EMPLOYEES
 - 4.3 **PUBLIC RECOGNITIONS**
- JS 4.4 MAYOR'S REPORT

(CLOSE REGULAR MEETING OPEN PUBLIC AGENDA)

- 5. **PUBLIC AGENDA**
 - 5.1 **PUBLIC HEARINGS**
 - 5.1A PUBLIC HEARING REGARDING THE DEMOLITION OF PROPERTIES
 - CITIZEN HEARINGS 5.2
 - 5.2A MATTER REGARDING PENDING COMPATIBLE REVIEW APPLICATION CASE NO. COMP 18-04 -321 TOLBERT STREET - PASTOR ELSTON C. KEMP

(CLOSE PUBLIC AGENDA AND OPEN REGULAR SESSION)

- 6. **ACTION AGENDA**
 - 6.1 REVIEW, ADOPT, REJECT ORDINANCE AMENDING THE ORDINANCE TO CREATE A CITIZEN'S POLICE ADVISORY BOARD TO ADD ADDITIONAL AT-LARGE MEMBERS
 - 7. **ROUTINE AGENDA**

TUPELO CITY COUNCIL MEETING AGENDA April 17, 2018 6:00 P.M.

	7.1	REVIEW, APPROVE, REJECT MINUTES OF THE APRIL 3, 2018 REGULAR CITY COUNCIL MEETING
KH	7.2	REVIEW, APPROVE, REJECT ADVERTISING AND PROMOTIONAL EXPENSE LIST
КН	7.3	REVIEW, PAY BILLS
KH	7.4	REVIEW, APPROVE, REJECT REQUEST FOR THE APPROVAL OF DONATED SICK TIME FOR VALARIE FIELDS, A TUPELO WATER AND LIGHT EMPLOYEE
JS	7.5	REVIEW, ACCEPT, REJECT APPOINTMENT OF AN AT-LARGE MEMBER OF THE POLICE ADVISORY BOARD
SH	7.6	REVIEW, APPROVE, REJECT FINAL DEMOLITION LIST
SH	7.7	REVIEW, APPROVE, REJECT MINUTES OF THE APRIL 2, 2018 PLANNING COMMITTEE MEETING
TH	7.8	REVIEW, APPROVE, REJECT APPEAL OF THE DECISION BY THE PLANNING COMMITTEE
BL	7.9	REVIEW, RATIFY, REJECT THE CONTRACT OF PURCHASE OF THE MCCULLOUGH/COLEY RIGHTS OF WAY FROM BONNIE JEAN WEBB TO THE CITY OF TUPELO AS APPROVED ON MARCH 20, 2018
BL	7.10	REVIEW, RATIFY, REJECT THE CONTRACT FOR THE TUPELO FAIRGROUNDS REDEVELOPMENT PHASE 3-C PROJECT AS APPROVED ON MARCH 13, 2018 (On File in Council Clerk's Office)
BA	7.11	REVIEW, APPROVE, REJECT THE POLICE DEPARTMENT'S REQUEST TO DISPOSE OF A VEHICLE PURSUANT TO MISS. CODE ANNO. § 17-25-25(1) AND (6) (1972 AS AMENDED) BY DECLARING THE VEHICLE AS HAVING CEASED TO BE USED FOR PUBLIC PURPOSES AND FINDING DISPOSAL TO PROMOTE THE BEST INTEREST OF THE GOVERNING AUTHORITY AND SELLING PURSUANT TO MISS. CODE ANNO. §31-7-13(m) (vi) (1972 AS AMENDED) FOR \$1.00 TO THE BLUE SPRINGS POLICE DEPARTMENT: 2004 FORD CROWN VICTORIA (PD21) VIN 2FAHP71W04X127032

TUPELO CITY COUNCIL MEETING AGENDA April 17, 2018 6:00 P.M.

JC	7.12	REVIEW, ACCEPT REJECT MINUTES OF THE MARCH 12, 2018 MAJOR THOROUGHFARE COMMITTEE MEETING
AF	7.13	REVIEW, ACCEPT, REJECT MINUTES OF THE MARCH 13, 2018 PARKS ADVISORY BOARD AND SPORTS COUNCIL MEETING
AF	7.14	REVIEW, APPROVE, REJECT CHANGE ORDER REQUEST FOR THE BALLARD PARK SPORTS FIELD ADDITIONS
CW	7.15	REVIEW, APPROVE, REJECT A PROFESSIONAL SERVICE AGREEMENT BETWEEN THE PUBLIC WORKS DEPARTMENT AND DABBS CORPORATION FOR ROADWAY MAINTENANCE ADMINISTRATION AND IMPLEMENTATION
	8.	STUDY AGENDA
BL	8.1	REVIEW, DISCUSS RESOLUTION GRANTING AD VALOREM TAXES TO COOPER TIRE & RUBBER COMPANY
	9.	EXECUTIVE SESSION
		NO ITEMS
	10.	<u>ADJOURNMENT</u>

Debra Byrd, Code Enforcement Manager

Date:

March 27, 2018

To:

Pat Falkner

Shane Hooper

Subject:

Demolition for Council Meeting

I have listed below and will forward a copy of the Public Hearing Notice and Exhibit A evidence for each which I would like for the City Council to consider for declaring a hazard to the health and safety of the general public on April 17, 2018, during its regularly scheduled meeting.

Due diligence has been done for these cases. It is my sincere wish that the City Council will find this property to be a hazard and award permission for the lowest and best bidder to demolish the structure and pay the bid winner from the Revitalization Fund. We will invoice the owner and place a lien on the property if the owner does not pay for the demolition. A copy of the entire case file including all pictures will be made available for the Council if they wish. I can attend the Agenda Review to answer any questions.

Thanks,

Debra

cc:

REF	PARCEL	LOCATION	OWNERS NAME
18202	089P-31-244-00	520 S. BROADWAY	LIBERTY RESTORATION
23865	074T-17-055-00	3053 WALSH RD	L. PATRICK SHELLY
23446	075E-16-106-00	2630 WALSH RD	JOHN ELLIS
23682	089B-30-062-00	1209 N GREEN	DOOLIE WITHERSPOON
23764	089F-30-218-00	600 N SPRING	JOHN T. SHANNON

Amanda Daniel, Clerk of the Council

MEMO

TO:

Mayor, City Council members

FROM:

Shane Hooper

DATE:

April 13, 2018

RE:

Public agenda item: Required hearing for properties

proposed for demolition

The following properties have been reviewed and recommended for demolition by the blight elimination

committee:

520 S. BROADWAY

3053 WALSH RD

2630 WALSH RD

1209 N GREEN

600 N SPRING

LIBERTY RESTORATION

L. PATRICK SHELLY

JOHN ELLIS

DOOLIE WITHERSPOON

JOHN T. SHANNON

CITY OF TUPELO CITIZEN HEARING REQUEST COUNCIL CLERK-662-840-2578, FAX 662-840-2579

Any citizen of the City, business owner or property owner within the City may request that a matter be placed on the agenda for the purpose of bringing a matter before the City Council for subsequent Council action provided that he or she submits a written and signed request to the Council President or the Mayor describing the nature of his or her request. Such request must be received before 5:00 p.m. on Thursday prior to the next scheduled Council meeting. Presentation of a citizen's request shall be limited to (5) minutes.

scheduled Council meeting. Presentation of a citizen's request shall be limited to (5)
Name NEW Muchona M.K. Church Street 335 EAST RATIONS From Phone#: City, state, zip: Jupolo, M3 38804
BUSINESS OWNER: Name of Business: New Movi dence Machurch
PROPERTY OWNER: Address: 333 Erst Barnes Street Typeh, Ms 38804
PLEASE DESCRIBE THE NATURE OF YOUR REQUEST;
to plow Gpry spartner was belong to Be par college
our church which is to the properties destinate of
SIGNATURE:
Form must be signed and faved to (CO 940 0570

Form must be signed and faxed to 662-840-2579 or scanned and e-mailed to amanda.daniel@tupeloms.gov

NEW PROVIDENCE MISSIONARY BAPTIST CHURCH

333 EAST BARNES STREET TUPELO, MS 38804 662-844-1425

"The church that cares because He cares."

Shane Hooper, Director Director of Development Service City of Tupelo

Re: Pending Compatible Review Application

Case No. Comp 18-04

Location 321 Tolbert St.

Applicant Gary Sparkman on behalf of College Enterprises LLC

Dear Mr. Hooper,

We the Pastor, Officers and Congregation of the New Providence Missionary Baptist Church, 333 Barnes St., Tupelo, Ms. object to the above referenced request for a place to assembly as evidenced by the attached signatures.

tu Chura Leng Asses

Enclosures: Original Letter

Congregation Signatures

Elston Charles Kemp, Pastor Rhonda Armstrong Gibson

Church Clerk

April 1, 2018

1. During Brien 2. Dora Hi 3 Carolyn D. Evans H fico fray 5. TiAsda (S. Wood 7. Jennifer, White & Dianeton Core 9 Her bert Partlow 1d Asia Partlow 1. Crady Trus mas 1272 13 Enily Pullian

1. Way Standafer 2. Thym Day 3 Alice Smith Handa & Dugh H 5, Elles Cea 6 Toil W fort I John Me of the Standard of the I fuelle faittois 10 Clipton Wilson 11 MREMRS MAN MECLAR 12 Vonnia Class 13 TRAVIS Class KHONON Partland 1 - Mary Browley

90

1 Fam Bi Ween 2. Sommy Pucción (Deacon) 3 Eddin Blatto Dean H Rafat Der 5 Denni Spatier Denon 10 12 13 14

ITEM 6.1

ORDINANCE AMENDING ORDINANCE TO CREATE CITIZEN'S POLICE ADVISORY BOARD TO ADD ADDITIONAL AT-LARGE MEMBERS

Finance Department

To:

Mayor & City Council

From:

Kim Hanna

Date:

April 3, 2018

Re:

Review/Approve/Reject Advertising and Promotion Expense

The following expenditures are requested to be approved for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of the City of Tupelo.

MLK - MS Radio Group - Mayor

\$199.00

Best of the Best – Fire – Lee County Courier

\$180.00

The proposed expenditures are included in the operating budget of the City of Tupelo.

Memorandum

To: City Council

From: Kim Hanna

Date: April 17, 2018

Re: Approval of Donated time for Employee

I respectfully ask for the approval of donated sick time for Valarie Fields. She is an employee of the Water & Light Collection Office and is off work due to an illness. Brenda Powell, Office Manager for the Water & Light Collection's office has requested that Valarie be placed on the agenda to receive donated time. She is eligible under the donated leave policy if approved by the Council and her illness meets the criteria to receive donated time.



City of Tupelo

To:

City Council

From:

Mayor Jason Shelton

Date:

April 12,:2018

Re:

Appointment to Police Advisory Board

It is my recommendation that Ms. Bridgette Wilson be appointed to the Police Advisory Board. She will fill one of the at-large positions that were created.

Please consider this recommendation.

Bio's attached

Biography of Bridgette (Blanks)Wilson

Bridgette (Blanks) Wilson is a resident of Tupelo, MS and is the daughter of Henry (Peewee) and the late Jo Ann Blanks. She is a graduate of Tupelo High School and continued her education at Rust College where she graduated Magna Cum Laude with a Bachelor of Arts degree in Political Science and Pre-Law. She also attended the University of Mississippi and Memphis State University where she studied Criminal Justice and Secondary Education and is currently pursuing her master's degree in Healthcare Administration. She is a graduate of the Parent Leadership Institute and is a student in the 2018 class of the Tupelo Citizens' Policy Academy. She is the Corporate Risk Manager for North Mississippi Health Services and has been employed with the organization for 21 years. She is a member of Alpha Kappa Alpha Sorority, Inc., the Tupelo Jr. Auxiliary, and the Susie Ann Owens Scholarship Committee. She is a member of White Hill M.B. Church where she serves on the Children Church Ministry. Bridgette is married to Fred Wilson and they have two sons, Robben 19 and Bryson 17. In her spare time, she enjoys attending sporting events and is a volleyball referee with the Mississippi High School Athletic Association. Bridgette's motto is, "tell me and I may forget, teach me and I may remember but if you involve me, I'll understand"- Benjamin Franklin

MEMO

TO:

Mayor, City Council members

FROM:

Shane Hooper

DATE:

April 13, 2018

RE:

Routine agenda item: Required hearing for properties

proposed for demolition

The following five properties have been reviewed and recommended for demolition by the blight elimination

committee:

520 S. BROADWAY

3053 WALSH RD

2630 WALSH RD

1209 N GREEN

600 N SPRING

LIBERTY RESTORATION

L. PATRICK SHELLY

JOHN ELLIS

DOOLIE WITHERSPOON

JOHN T. SHANNON

Regular City Council Meeting Tuesday, April 17, 2018 6:00 p.m.



Memorandum

Debra Byrd, Code Enforcement Manager

Date:

March 27, 2018

To:

Pat Falkner

Shane Hooper

Subject:

Demolition for Council Meeting

I have listed below and will forward a copy of the Public Hearing Notice and Exhibit A evidence for each which I would like for the City Council to consider for declaring a hazard to the health and safety of the general public on April 17, 2018, during its regularly scheduled meeting.

Due diligence has been done for these cases. It is my sincere wish that the City Council will find this property to be a hazard and award permission for the lowest and best bidder to demolish the structure and pay the bid winner from the Revitalization Fund. We will invoice the owner and place a lien on the property if the owner does not pay for the demolition. A copy of the entire case file including all pictures will be made available for the Council if they wish. I can attend the Agenda Review to answer any questions.

Thanks,

Debra

REF	PARCEL	<u>LOCATION</u>	OWNERS NAME
18202	089P-31-244-00	520 S. BROADWAY	LIBERTY RESTORATION
23865	074T-17-055-00	3053 WALSH RD	L. PATRICK SHELLY
23446	075E-16-106-00	2630 WALSH RD	JOHN ELLIS
23682	089B-30-062-00	1209 N GREEN	DOOLIE WITHERSPOON
23764	089F-30-218-00	600 N SPRING	JOHN T. SHANNON

cc: Amanda Daniel, Clerk of the Council

MEMO

TO:

Mayor, City Council members

FROM:

Pat Falkner

DATE:

April 10, 2018

RE:

Routine agenda item: Minutes of April 2, 2018 Planning

Committee meeting

Attached are the minutes of the Planning Committee meeting of April 2. The action items are as follows:

Text Amendment to Chapter 5 of Development Code, to establish a Neighborhood Conservation Overlay District in the area around Lawhon School

Disapproved

Compatible Use 18-04, Application from College Enterprises LLC for approval to establish an events venue at 321 Tolbert Street.

Flexible Variance 18-01, Application from College Enterprises LLC for variance of restriction on allowing beer and light wine to be served less than the required 400 feet from a protected building.

These applications were approved jointly with a condition that the approvals be brought back before the Planning Committee for review one year after the events center is opened.

This action has been appealed.

TUPELO PLANNING COMMITTEE

April 2, 2018

CALL TO ORDER

Chairman Ted Moll called the meeting to order. Members present were Mr. Gus Hildenbrand, Mr. William Smith, Mr. Scott Davis, Mrs. Patti Thompson, Mr. Mack-Arthur Turner, Mr. Christian Reed, and Mrs. Margaret Ann Kennedy. Mr. Hildenbrand provided the invocation and Mrs. Thompson led the Pledge of Allegiance. Staff present were Pat Falkner and Marilyn Vail of the Development Services Department.

REVIEW OF MARCH MINUTES

The March minutes were approved with a correction on a motion by Mrs.Thompson, seconded by Mr. Smith.

REPORT ON COUNCIL ACTIONS

Mr. Falkner reported that the City Council had accepted the minutes of the March 5 meeting but that the two small text amendments would not be presented for council action until there were other text amendments to be dealt with.

OLD BUSINESS

TEXT AMENDMENTS TA 18-01:

Mr. Moll recognized Mike Pettigrew to speak on behalf of the proposed amendment. Mr. Pettigrew said that he wanted to explain that an overlay district is not a homeowners' association and would not control colors, shutters et cetera. The concept is designed to give residents and property owners a voice in how their neighborhood changes. He noted that the city reviewed only for basic code compliance and does not address value, character or stability of a neighborhood. Residents and owners would have more detailed knowledge of their areas. Mr. Pettigrew went on to explain that as head of the American Legion post, he had been through an overlay district design review after the American Legion building was destroyed by a tornado. That process resulted in a building that was more compatible with the neighborhood. He noted that the design review committee would be made up of residents and that he was willing to work with the residents and the Planning Committee on changing details of the proposal.

Mrs. Kennedy asked Mr. Pettigrew if he had made any changes to the proposal based on the discussion at the previous meeting. Mr. Pettigrew answered that he had not, but was waiting to hear from the residents.

Mr. Davis said that the proposed amendment stated that the review committee would be drawn from residents of the Presley Heights neighborhood, but that he thought it should be written to require that the committee members be residents of the overlay district proper.

Mr. Pettigrew agreed that using residents of the district would be better, but since there were a limited number of residents it might be necessary to draw members from a wider area. He said that this change would be acceptable.

Mr. Hildenbrand noted that the amendment provided that members be approved by the neighborhood association.

Mrs. Kennedy asked if any residents of the Lawhon district participated in the neighborhood association.

Mr. Pettigrew answered that they were eligible to attend and vote.

Mrs. Kennedy asked if they attended regularly. Mr. Pettigrew answered that they did not.

Mr. Moll asked if the association met regularly. Mr. Pettigrew said that they met every second Tuesday. Mr. Moll asked who was the president of the association. Mr. Pettigrew said that currently he is.

Mrs. Kennedy read the section of the amendment dealing with review committee members and noted that two were to be appointed by the mayor and council representative, so that it would be possible to assure that residents were appointed through that.

Mr. Reed said that he observed a lot of variation in architectural styles in the area, and felt that the proposal should offer more definite design standards.

Mr. Pettigrew replied that the intent of the standards was to recognize the diversity of the area and not be too prescriptive with requirements. The review process would empower the residents to determine what they were willing to see built.

Mr. Tommy Scruggs, property owner in the district, spoke, commenting that only four people had been present for the first hearing because no one in the district knew about it. He said that his wife had operated a day care center in the neighborhood for 32 years without having any trouble, and that he and his partners had bought and renovated or replaced around 25 houses in the neighborhood. He provided pictures of his houses and other houses in the neighborhood that were in poor condition. He asked residents who were opposed to the overlay district to stand up.

Mrs. Kennedy stated that she did not believe the discussion at the March meeting should be characterized as having said the neighborhood was bad.

Dennis McCoy of 525 Canal Street said that he did not think the style of the new houses was helping to improve the neighborhood, but also that he did not think bigger, more expensive houses would happen either. He said police protection would be more valuable for improving the neighborhood.

Mr. Hildenbrand observed that he lived in Lee Acres which realtors sometimes said was a declining area. He recommended working through the neighborhood association to offset that.

Ms. Chiquita Burgess of 411 Payne spoke, saying that she had lived there for four years and could not attend neighborhood meetings because of activities with her children. She said that she believed Mr. Scruggs' new houses were making the neighborhood better and that the area was affordable for working people.

Mrs. Thompson asked what here concern was about the proposed district. Ms. Burgess answered that it did not appear to do anything that would help renters.

Mrs. Kennedy asked did she think it would cause rents to increase. Ms. Burgess said yes.

Mrs. Thompson asked if everyone understood that the overlay district review would only apply to new construction, not to existing property?

Ms. Burgess said that the design should be left to the builder and that banks would only lend so much for construction in the neighborhood.

Mrs. Mavis Yerby of 414 Lake Street spoke, saying she had participated in the neighborhood association for a long time but discouraged about lack of code enforcement. She said that too many houses were approved that should not have been occupied. She said that the proposed overlay did not matter, but that existing codes should be enforced.

Mrs. Nettie Davis, Council representative for Ward 4, spoke about the city having authorized several new code enforcement positions in the last few years.

Mr. Hildenbrand said that neighborhood association pressure influences police presence.

Ms. Rhonda Griffin of 123 Wayside said that there appeared to be unequal treatment of code violations. She stated that a vacant lot near her house regularly grew several feet high before the city cut it.

Mr. Bentley Nolan of 1408 Briar Ridge appeared stating that he owned property in the proposed district and thought the proposed standards were too vague and that he was not in favor of another level of bureaucracy in the building process.

Mr. Joe Yerby of 414 Lake Street said that he did not feel the neighborhood had a general character to protect, that metal roofs were an individual choice, and that he was more concerned about crime and public safety. He also said that nothing in the neighborhood would sell for what it is appraised for at present

Mr. Moll closed the public hearing at this point.

Mr. Davis stated that the earlier overlay districts were put in place at the request of the residents, but that this one did not appear to have resident support.

Mr. Turner said that he had grown up on Wayside street and remembered it as a place where a working parent could afford to live and raise children. He would hate to see people priced out of the neighborhood.

Mr. Reed noted that it was clear that the residents were not in favor of the proposed district. He said that implementing an overlay district should involve both resident support and clear review guidelines.

Mr. Davis made a motion to deny the proposed text amendment, seconded by Mr. Hildenbrand. All members voted for the motion with the exception of Mrs. Kennedy voting no.

NEW BUSINESS

COMP 18-04 AND FLEXVAR 18-01

Mr. Falkner explained that these two applications relate to the same project and could be discussed together.

Mr. Darren Buggs, member of College Enterprises LLC, owner of the property, stated that the intent is to reopen the facility with a use that would generate revenue to restore and preserve the building. It would be used for private events. He said that the request included a variance to allow groups renting the facility to be able to serve light wine and beer.

Mr. Hildenbrand asked if this would only be by events or would it be open full time? Mr. Buggs said that it would be events only.

Mrs. Kennedy asked what kind of events. Mr. Buggs answered birthdays, family reunions, et cetera.

Mrs. Thompson asked if the zoning approval was being sought prior to getting financing for the building? Mr. Buggs said yes.

Mrs. Kennedy asked if the owners planned to ask for a liquor permit. Mr. Buggs said no. Mr. Falkner explained that groups renting the facility would have to apply for permits to serve alcohol for each event, and that the city had no jurisdiction on liquor, only on beer and light wine.

Mr. Hildenbrand said that the property appeared to have limited space for parking. Mr. Buggs pointed out that they also own the property across the street.

Mrs. Kennedy asked what the occupancy for the building. Mr. Buggs said that he did not know but would estimate around 350.

Mrs. Kennedy asked about security. Mr. Falkner explained that the groups renting the facility would be responsible for deciding if security was needed and for providing it.

Mr. Hildenbrand noted that the area identified for parking was not paved. Mr. Reed said that the city would require that to be paved in order for the building to be reopened.

Mrs. Nettie Davis, Ward 4 Council representative, stated that she lived at 326 Barnes Street just up the hill from the Elks Club building. She said the building was a historic landmark in the community and that she wanted to see these structures preserved. Mrs. Davis noted that the building has served as a social center for the neighborhood. She was aware that there was some deterioration of the building, and said that the city had applied for a grant to renovate the building for the Real Men Stand Up program. When that grant was not approved, she was approached by Mr. Sparkman, also a partner in College Enterprises, with the plan to use the building as an event center in order to raise the revenue needed to make the improvements.

Mr. Rufus Lauderdale, deacon at Springhill Missionary Baptist Church, said that he recognized the cultural value of the building, but that he did not understand the need for the variance to serve beer. Mr. Falkner explained that the variance was necessary if groups renting the facility wanted to serve beer or light wine, because of the proximity of the park and a number of residences.

Mr. Hildenbrand said that he recognized the cost of the renovation and the need for a strong revenue stream from rentals.

Ricky Bogan, pastor of Springhill church, asked if the facility could still be used for something community-oriented like Real Men Stand Up. Mr. Buggs said they would be willing to make the building available.

Mrs. Davis spoke again, saying that the African-American community did not have an events center of its own.

Ms. Marilyn Vail spoke to explain the temporary indoor events permit that would be used where a facility does not have a beer or liquor license of its own. She said that the state of Mississippi also requires a site specific permit for events, and that the code does provide the authority to rescind or deny a permit if a law is broken.

Mr. Reed said that he was concerned with the idea that selling alcohol was necessary in order to preserve a historic structure, and that he was concerned about irresponsible drinkers leaving the facility and going into the park or the neighborhood.

Mrs. Kennedy asked if the residents had been notified.

Mr. Turner said that he had lived in the neighborhood and remembers the Elks Club mainly attracting responsible people including residents within walking distance.

Mr. Smith said that he thought the alcohol could be managed on an event basis but was more concerned about the condition of the structure.

Mrs. Kennedy made a motion to approve both applications with the condition that they be reviewed one year after the building is reopened to see if there were any issues.

Mrs. Thompson seconded the motion which passed with all members voting yes except for Mr. Reed voting no.

Mr. Moll set the next work session for April 30 and the meeting May 7.

Mrs. Thompson made the motion to adjourn, seconded by Mr. Smith.

Memo

To:

Mayor and City Council

From:

Patrick Falkner

Subject:

Appeals agenda: appeal of decision by Planning

Committee

Date:

April 10, 2018

Reverend Elston Kemp and members of New Providence Missionary Baptist Church are appealing the Planning Committee decision to approve allowing an events center to open at 321 Tolbert Street and to grant a variance on the restriction of serving beer and light wine within four

hundred feet of a protected building.

NEW PROVIDENCE MISSIONARY BAPTIST CHURCH

333 EAST BARNES STREET TUPELO, MS 38804 662-844-1425

"The church that cares because He cares."

Shane Hooper, Director **Director of Development Service** City of Tupelo

Re: Pending Compatible Review Application

Case No. Comp 18-04 Location 321 Tolbert St.

Applicant Gary Sparkman on behalf of College Enterprises LLC

Dear Mr. Hooper,

We the Pastor, Officers and Congregation of the New Providence Missionary Baptist Church, 333 Barnes St., Tupelo, Ms. object to the above referenced request for a place to assembly as evidenced by the attached signatures.

Enclosures: Original Letter

Congregation Signatures

btuchuratery Bodio Elston Charles Kemp, Pastor **Rhonda Armstrong Gibson**

Church Clerk

April 1, 2018

1. Locamo Dona 2. Dona Hi 3 Carolyn D. Evans H fico fray 5. TiAdda 6 S. Wood 7. Jennifez, white p Dianeton Con 9 Herbert Partour 1d Asia Partlow 1. CT set of True may 12721 13 Enily Fullian

- -

1 wlay Standefer 2. Thym Day 3 Alice Smith Handa & Dugh 5, Elles Ce 1 Pakede ne of the of the Scare States I fuelle Parttoro 10 Clipton Wilson 11 MREMIS MAN MECLAR 12 Vonnia Class 13 TRAVIS Clay KHONOS POSTOof Mary Browley

1. Jame Bri Ween 2. Sommy Pucción (Deacon) 3 Eddin Black Damon H Raffer Der 5. Lenni Spaker Dencon 12 13

CONTRACT OF PURCHASE

AGREEMENT entered into this the day of 2018, by and between the BONNIE JEAN WEBB, (hereinafter referred to as "SELLER"), and the CITY OF TUPELO, MISSISSIPPI (hereinafter referred to as "PURCHASER"), and in consideration of the mutual covenants contained herein, do hereby contract and agree as follows:

Purchaser desires to purchase from Sellers, and Sellers wish to sell to Purchaser, all of Seller's right, title and interest in and to certain real property situated in the City of Tupelo, Lee County, Mississippi, upon the terms set forth herein. The real property is more particularly described as follows (the "Subject Property") and as depicted in Exhibit "A":

A TRACT OF LAND CONTAINING 0.05 ACRES, MORE OR LESS, LYING IN THE SOUTHEAST QUARTER OF SECTION 16, AND THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 SOUTH, RANGE 5 EAST, CITY OF TUPELO, LEE COUNTY, MISSISSIPPI, AND BEING A PORTION OF THAT PARCEL CONVEYED TO BONNIE JEAN WEBB BY INSTRUMENT NUMBER 2011003443 AS RECORDED IN THE RECORDS OF THE OFFICE OF THE CHANCERY CLERK OF LEE COUNTY, MISSISSIPPI; SAID TRACT TO BE USED AS PUBLIC RIGHT-OF-WAY, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast Corner of Section 16, Township 9 South, Range 5 East, City of Tupelo, Lee County, Mississippi, thence North a distance of 1,587.39 feet, thence West a distance of 12.99 feet to a concrete right-of-way marker on the South right-of-way of McCullough Boulevard for a POINT OF BEGINNING; thence along said right-of-way, South 56 degrees 03 minutes and 24 seconds East a distance of 62.01 feet to a point; thence, along said right-of-way, South 56 degrees 03 minutes and 21 seconds East a distance of 28.64 feet to a point; thence, leaving said right-of-way, North 75 degrees 30 minutes and 09 seconds West a distance of 45.92 feet; thence North 86 degrees 03 minutes and 29 seconds West a distance of 57.36 feet to a point on the East right- of-way of Coley Road; thence, along said right-of-way, North 37 degrees 01 minute and 17 seconds East a distance of 51.49 feet to the POINT OF BEGINNING. This tract contains 0.05 acres more or less.

- 1. <u>PRICE.</u> The purchase price of the property shall be Six Thousand Dollars (\$6,000.00) and shall be due and payable at closing:
- 2. <u>CLOSING.</u> Sellers shall deliver to Purchaser at closing a warranty deed, conveying good and marketable fee simple title to the Subject Property, subject to subdivision, zoning, and other regulations in effect in the City of Tupelo or Lee County, Mississippi, and rights of way and easements for public roads, flowage, utilities and any mineral or mineral rights, including oil and gas, leased, granted or retained by current or prior owners, as well as any other restriction, reservation, encumbrance or items of record or which an accurate title search would reveal or which a survey or inspection of the property would reveal, and

with taxes not delinquent; provided, however, that should delinquent taxes be due, Seller hereby agrees to pay such amount with the proceeds from the closing.

- 3. <u>CLOSING COSTS.</u> Buyer is to pay for preparation of the warranty deed and to pay for any and all other closing costs, if any. Real estate taxes for the current year, if any, shall be paid by the seller.
- 4. PROPERTY CONDITION. The Subject Property is sold in an "AS IS", "WHERE IS" condition "WITH ALL FAULTS" as of the closing. Purchaser acknowledges that neither Seller nor any of the employees, agents, or attorneys of Sellers have made any verbal or written representations or warranties whatsoever to Purchaser, whether express or implied, statutory, or by operation of law regarding the condition of the Subject Property or the title thereto.
- 5. <u>CLOSING AND POSSESSION AND MAINTENANCE AND ADVERTISING:</u>
 Seller and Purchaser shall work together to reasonably set a time for closing.
 Possession shall pass at Closing.
- 6. <u>COMMISSION:</u> Seller and Purchaser each represent and warrant that they are not represented by a broker and that no real estate commissions are due in the regard to the sale(s) contemplated in this agreement.
- 7. <u>GOVERNING LAW:</u> This Agreement shall be governed by and interpreted in accordance with the laws of the State of Mississippi.
- 8. <u>ENTIRE AGREEMENT</u>: This writing contains the entire Agreement of the Parties and may not be amended except in writing, signed by both Seller and Purchaser.

IN WITNESS WHEREOF, each of the Parties hereto has signed this Agreement on the date shown below their respective signatures. This Agreement shall, for all purposes, be deemed to be fully executed on the latest of the dates of execution as shown below (the "Effective Date").

PURCHASER SALT JASON L. SHELTON, MAYOR	SELLER BONNIE JEAN WEBB
ATY OF TUPELO, MISSISSIPPI AAPRIS	P.O. BOX 65 BELDEN, MS 38826 4-5-18
DATE	DATE

Regular City Council Meeting Tuesday, April 17, 2018 5:00 p.m.

011



SPECIFICATIONS

GNA

EXECUTED CONTRACT DOCUMENTS

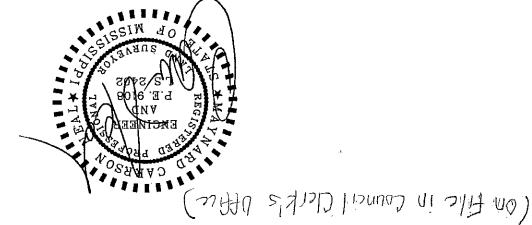
FOR

TUPELO FAIRGROUNDS REDEVELOPMENT PHASE 3C

FOR

CITY OF TUPELO

TEE COUNTY, MISSISSIPPI



November 3, 2017

BID 1200 Lb CCE 6-09244-16P



Tupelo Police Department

Chief Bart Aguirre

Memorandum

To:

City Council Members

From:

Chief Bart Aguirre

Subject: Surplus

CC:

Mayor Shelton, COO Lewis, CFO Hanna

Date:

04/11/18

The following vehicle was submitted on 03/15/18 for sale to Blue Springs Police Department for the cost of \$1:

2009 Ford Crown Victoria-PD37-VIN 2FAHP71V59X121399

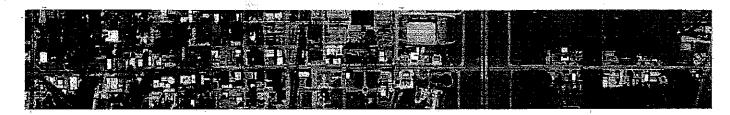
It has been discovered that an error occurred in the Property Division and that the vehicle which was selected to be sold to them is as follows:

2004 Ford Crown Victoria-PD21-VIN 2FAHP71W04X127032

The error was caught prior to the transaction and the title for PD37 has been returned to its proper place at City Hall. We respectfully request that you consider this correction.

Thank you for your attention in this matter,

Chief of Police, City of Tupelo



Tupelo Major Thoroughfare Program Minutes March 12, 2018

7,12

Members present: Bill Cleveland, Scott Davis, Chris Hussey, C W Jackson, Stuart Johnson, Ernie Joyner, Charlotte Loden, Aletha Mims, J D Moore, Greg Pirkle, Danny Riley, Theodore Roach, and Drew Robertson

Members not present: Jamie Osbirn, Brent Waldrop, Wesley Webb

Others present: Travis Beard, Caleb Bedillion, John Crawley, Leesha Falkner, Don Lewis, Kim Hanna, Renee Newton, Mike Pettigrew, John White, and Chuck Williams

Greg Pirkle called meeting to order.

Renee Newton took Roll Call.

Greg Pirkle welcomed Scott Davis as new member of Major Thoroughfare Committee.

Mr. Pirkle asked the Committee to review and approve the minutes of the February 12, 2018, Major Thoroughfare Program meeting. Stuart Johnson made motion to accept minutes with correction to date of financial report from January 12, 2017, to January 12, 2018. Motion approved unanimously with corrections.

John Crawley gave updates on the current projects.

NATCHEZ TRACE BRIDGE

Still awaiting full and final settlement letter from MDOT.

EAST MAIN STREET (GREEN STREET TO VETERANS)

Still working on finalizing the issues with deficient landscaping items. Waiting on written response from contractor explaining why they do not think they are responsible for corrective measures.

THOMAS STREET / HWY 6 INTERCHANGE

Contractor has begun doing some work on minor items such as paved ditches and placing shoulder gravel in preparation for resuming work in the next few weeks Based on the February pay estimate, the contractor is approximately 71% complete and has used approximately 63% of the contract time.

MAIN STREET TRAFFIC SIGNAL OPTIMIZATION STUDY

Consultant has submitted the final report. It has been distributed to the administration and Tupelo Water and Light. Any committee member interested in a copy may also receive one. Tupelo Water & Light is in the process of obtaining inventory necessary to begin implementation along W Main St.

COLEY ROAD/MCCULLOUGH BLVD INTERSECTION IMPROVEMENTS & COLEY/ W JACKSON ST IMPROVEMENTS

Plans complete, MDOT permit received. Council to entertain offer to purchase ROW needed at their meeting on 3/20/2018.

EASON BLVD TURN LANE @ HWY 45

Finalizing adjustment of plans to add signalization for west ramps in addition to the signal for east ramps.

WEST JACKSON STREET (CLAYTON TO ROBBINS)

Preparing Construction Plans.

MDOT NORTH GLOSTER / BARNES CROSSING PROJECT

Contractor (Gregory Construction Services) has begun work. They are working on driveways and islands between North Green Street and McCullough Blvd.

LUMPKIN INTERSECTION RELOCATE

Consultant has completed fieldwork. Currently working on drawings of existing conditions and proposed layout.

Maintenance Program Report was presented to Committee by Chuck Williams. Report showed the first pave for FY 2018 to include portions of Lawndale Dr, Eason Blvd, and Coley Rd. Projected cost for Mill and Overlay for all is \$818,156. Discussion was held on strategy for maintenance of MTP streets, as well as future plans for maintenance of Mall Dr once the City takes it over. Ernie Joyner made motion to recommend to City Council to approve \$818,156 for maintenance of Lawndale Dr, Eason Blvd, and Coley Rd. Motion was seconded by Stuart Johnson. Committee approved motion unanimously. Aletha Mims made motion to add Mall Dr to MTP Maintenance Program, contingent upon connection to Commonwealth Blvd. Charlotte Loden seconded the motion. MTP Committee approved motion unanimously.

Kim Hanna reviewed the Major Thoroughfare Phase VI Budget Report for the month ending February 28, 2018. Beginning cash balance was \$3,145,277. Revenue from Property Tax and Interest Earned was \$2,369,856. Actual Expenditures were \$122,408. Payments included \$7,264 to Personnel Cost; final payment of \$5,793 for Natchez Trace Bridge; \$100,003 to Thomas St Interchange Project; and \$9,348 to Traffic Signal Study. Ending cash balance was \$5,392,726.

New Business

Discussion for MTP to pay for second mast arm at Eason Blvd and Hwy 45 was brought before the Committee. Only one mast arm was included in the original estimate. Greg Pirkle explained that it is Committee policy to include mast arms in projects where needed. Addition of the second mast arm will increase the project cost by approximately \$150,000. Question was asked if City has money to go towards the mast arm. Kim Hanna replied that all City funds have been allocated for FY 2018. Motion was made by C W Jackson to delay decision until next MTP meeting. J D Moore seconded the motion. Motion passed unanimously.

With no further business to discuss, the meeting was adjourned.

Chairman Greg Pirkle

Submitted by Renee Newton



Parks Advisory Board and Sports Council Meeting March 13, 2018

7,13



Advisory Members Present Mike Maynard, Ward 2 Jack Keene, Ward 3 Davey Cole, Ward 5 Kenneth Greer, Ward 6 Jim Ingram, President TSC Advisory Member Absent Robin Faucette, Ward 1 Joe Washington Jr. Ward 4 Tara Cayson, Ward 7 Staff Present
Alex Farned, Director
Deana Carlock, Office Manager
Leigh Ann Mattox, Recreation Director
Laura Kramer, Sports Director
Amy Kennedy, Aquatic Director
Alex Wilcox, Senior Recreation Athletic
Director

Staff Absent
Shanta Jones, Program Director
Sheila Runnels, Sports Director
Markel Whittington, Council Rep.

- 1. Jim Ingram called the meeting to order.
- 2. Kenneth made the motion to accept the agenda with Davey Cole making the second. Passed unanimously.
- 3. Kenneth made the motion to accept the minutes with Davey making the second. Pass unanimously.
- 4. Kenneth made the motion accept the treasurer's report with Jack Keene making the second. Pass unanimously.
- 5. Member Reports
 - a. Tupelo Youth Soccer Association Report received.
 - b. Tupelo Youth Baseball Association Report received.
 - c. Tupelo Softball Association Report received.
 - d. Tupelo Basketball Association Report received.
 - e. Tupelo Tennis Association Report received.
 - f. Tupelo Therapeutic Recreation Association Report received.
 - g. Tupelo Aquatic Club Report received.
 - h. Tupelo Disc Golf Association Report received.
 - i. Tupelo Skate Park Association Report received.
 - j. Tupelo Flag Football Association Report received.
 - k. Friends of the Park Report received.
 - 1. Tupelo Fourth of July Celebration Association Report received.
 - m. Veterans Council Report received.
 - n. Tournament -Report received.

- o. Marketing Report received.
- p. Monthly Participation Report Received
- 6. The Board was updated on the storm shelters.
- 7. The Board was updated on the Gumtree Project.
- 8. The Board was updated on the Ballard Baseball Fields Project.
- 9. The Board was updated on the cameras in the park.
- 10. The Board was provided a calendar of events.
- 11. The Board was updated on the Cover Your Bases Project.
- 12. Mike Maynard made a motion to adjourn with Kenneth making the second. Passed unanimously.

Robin Faucette - Chairman of Tupelo Parks Advisory Board

Jim Ingram -President of Tupelo Sports Council

Alex Farned - Director of Tupelo Parks and Recreation

Regular City Council Meeting Tuesday, April 17, 2018

6:00 p.m.

7.14

City of Tupelo Department of Parks and Recreation



Alex Farned, M.S. **Director**

To:

Mayor, Jason Shelton and City Council

From:

Alex Farned

CC:

Date:

4/12/2018

Re:

Change Order Request For Ballard Park Sports Field Additions

I would like to request that the Mayor, and City Council review / approve the following change order for the Ballard Park Sports Field Additions Project:

This project started out with \$25,000 in contingency money. As of today there is \$4,800 left, and \$14,490.00 worth of additional work needed. That leaves \$9,690.00 needed to complete this work, and to be added to the overall budget.

*The overall budget for this project was \$2.8 million

City of Tupelo Public Works Department

Professional Services Agreement For Roadway Maintenance Administration & Implementation

PROJECT NUMBER: 180227-1007-01 DATE: February 27, 2018

A. GENERAL

This Agreement is for professional services by Dabbs Corporation, after this called "DC", to be provided to City of Tupelo Public Works Department, after this called the "PWD", to include administration and management services related to the implementation of roadway maintenance improvements within the City of Tupelo, Mississippi. The PWD is responsible for the maintenance of local streets within City rights-of-way (ROW) including the programming of annual improvements and the implementation of drainage, base repair and surface course improvements that are identified to be included in the annual maintenance program. The PWD utilizes in-house street and drainage maintenance crews along with private contractors to implement annual construction improvements on existing City streets. The purpose of this Agreement is for DC to provide technical resources to assist the PWD in the administration, management and field engineering services as directed by the PWD in support of the annual roadway maintenance program and related construction improvements.

A more detailed scope of services to be provided for this Agreement is included in Section B – Scope of Work.

B. SCOPE OF WORK

1.0 ADMINSTRATION SERVICES

- 1.1 Engineering support in the programming of proposed improvements to be included in the annual roadway maintenance program. This includes the evaluation of base repair, drainage and surface course conditions in order to assist the PWD in determining the types and limits of proposed improvements for roadway projects.
- 1.2 Evaluation of alternatives for proposed improvements to assess the materials and construction improvements necessary for proposed roadway projects.
- 1.3 Provide opinions of probable cost for proposed roadway improvements, including the itemization of proposed materials, quantities and associated unit prices to assist the PWD in programming and budgeting for proposed roadway projects.

Assist the PWD in the prioritization of proposed roadway projects and assessment of the respective resources (in-house or private contractor) necessary to complete the proposed drainage, base repair or paving improvements.

2.0 MANAGEMENT SERVICES

- 2.1 Assist the Director (Chuck Williams) and Street Manager (Jason Rush) in the assignment of construction resources for specific street improvements projects.
- 2.2 Develop project controls/guidelines for projects to be completed by private contractors for specific street improvements projects, including design criteria, project schedule, traffic control, erosion control, etc.
- 2.3 Prepare necessary documents for the solicitation of competitive quotes from private contractors to include scope of work, proposal/bid form, contracts, schematic drawings, technical specifications, etc. if necessary to procure a contractor for specific street and/or drainage related improvements less than \$50,000 total cost.
- 2.4 Assist the PWD in the development, advertisement and solicitation of term bid solicitations for future street improvement related contracts (i.e. asphalt paving, striping, pavement preservation, etc.)
- 2.5 Schedule and conduction on-site or pre-construction meetings with in-house crews and/or private contractors prior to the initiation of construction activities on specific street/drainage improvements projects.
- 2.6 Issuance of Notice to Proceed to private contractors for work to be completed on specific street/drainage projects as directed by the PWD.
- 2.7 Review/approval of material submittals for compliance with applicable specifications for any materials to be utilized for specific projects.
- 2.8 Coordination with contractors and/or material providers with respect to requests for payment in order to assess quantities for provided materials or in-place improvements prior to the approval of the PWD of material invoices, purchase orders and/or contractor pay requests.
- 2.9 Coordinate with PWD and private contractors for final project closeout, warranty period assessment and final closeout payments, etc.

3.0 FIELD ENGINEERING SERVICES

- 3.1 Coordination between private contractor and PWD to implement the designated improvements for specific street/drainage improvements projects.
- 3.2 Site visits to provide field engineering evaluations for project areas identified for future repairs/improvements in order to address existing problems and/or to consider

alternatives to prevent future deficiencies/degradation.

- 3.3 Coordination and oversight of additional services (i.e. survey, geotechnical) as directed by PWD in order to collect additional data/information to facilitate necessary design services and/or construction activities.
- 3.4 Site visits to provide periodic inspections of construction activities as necessary to provide guidance to in-house street maintenance crews and/or private contractors in order to assess compliance with project controls/guidelines, provide technical guidance to construction crews, observe compliance with specifications and/or design intent, assist/direct site inspectors, etc.
- 3.5 Coordinate and direct PWD in-house inspectors as related to project controls/guidelines, design criteria, materials, material quantities, etc.
- 3.6 If directed by the PWD, DC may provide field inspectors for temporary site/project inspections should in-house inspectors not be available and/or should the PWD prefer to allocate such resources to other projects/initiatives.
- 3.7 Full time inspection will not be provided for construction activities for projects as part of this Agreement, unless directed by the PWD to be provided as Additional Services.
- 3.8 Schedule and conduct final inspections of completed construction projects to potentially identify items that need to be addressed by the contractor in order to meet the project controls/guidelines and issue and punch list of such work to the contractor for repair prior to final approval/payment.

4.0 ADDITIONAL SERVICES

- As defined in Paragraph A of this Agreement, the purpose of this scope of services is to provide additional technical resources to the PWD as related to the annual roadway maintenance program and the specific program, projects, etc. associated with this program. As a result, the services, fees, etc. included in this Agreement are defined in order to provide such technical resources as will be routinely necessary to assist the PWD in the day to day operations and management of this program and related projects. However, in the even that services other than those that are defined herein become necessary to facilitate design and/or construction related improvements that may not be part of the day to day aspects of the PWD roadway management program, such services may be provided to the PWD by DC as Additional Services as directed in writing by the PWD.
- 4.2 The PWD may request/direct DC to provide Additional Services not included herein and/or solicit services outside of this Agreement in order to facilitate necessary and/or critical design or construction improvements related to the roadway maintenance program. This Agreement shall not prevent the PWD, or other City

Departments, from soliciting additional agreements for other types of services that are deemed necessary for roadway maintenance program improvements. Likewise, this Agreement shall not prevent DC from answering solicitations or being awarded additional contracts that are solicited for other types of services related to the PWD roadway maintenance program and/or other programs, projects, initiatives, etc.

- 4.3 If deemed necessary to facilitate roadway maintenance program design and/or construction related improvements, the PWD may direct DC to provide Additional Services to include, but are not limited to, permitting, topographic/boundary survey, development of plats/legal descriptions, geotechnical services/material testing, environmental services, development of Contract Documents and/or Project Drawings and Technical Specifications for the solicitation of bids and procurement of contractors for capital improvements projects, full time project field inspection for construction projects, etc.
- 4.4 Additional Services shall only be provided by DC as directed in writing, including email directives, by the PWD and shall be completed in accordance with fee compensation methods and fee amounts that are approved by the PWD.

C. PAYMENT FOR SERVICES

Professional services completed under this Agreement shall be provided on a Time and Materials basis. Hourly services shall be provided per the following:

Professional Engineer	\$100,00/HR
Field Inspector	\$50,00/HR
Drafting Technician	\$50.00/HR

Direct material costs, including printing, reproducible drawings, equipment, etc. shall be reimbursed at the actual cost of such expense. Unless directed/approved by the PWD for specific conditions, the total fee shall not exceed \$5,000.00 per month to complete the services as defined herein. The Owner agrees to pay DC in accordance with the included hourly rates and the assessed time and expense backup data to be provided by DC on a monthly basis. Payment shall be made within 30 days of receipt of invoice and shall be based on no other consideration other than DC's ability to provide the services as defined herein.

D. ACCEPTANCE OF AGREEMENT

CITY OF TUPELO	DABBS CORPORATION		
Mr. Chuck Williams, Director City of Tupelo Public Works Department	Dustin Dabbs, PE President		

ITEM 8.1 RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES TO COOPER TIRE & RUBBER COMPANY

City of Tupelo Summary of Tax Exemption For the Council Meeting of April 17, 2018

True Property Value	
Assessment %	15.00%
School Tax Millage	64.10
City Tax Millage	32.47

Company	Council Meeting Date	True Value of Property to Be Exempted	Assessed Value of Exemption	Annual School Tax Generated	Annual City Taxes Exempted	Expiration Date
Cooper Tire & Rubber Co.	4/17/2018	38,983,242.56	5,847,486.38	374,823.88	189,867.88	12/30/28
Grand Totals		38,983,242.56	5,847,486.38	374,823.88	189,867.88	